

forces. But people today are also understandably and rightly concerned about corporate intrusion into their privacy. They are concerned about companies crawling the Web to collect consumers' personal information and selling it to marketers. They are concerned that mobile device apps can access and acquire the device owner's photos and address book without his or her knowledge or consent. They are concerned that credit scores are being created from their use of medications, and that those scores are being used to set personal health insurance premiums. They are concerned about companies that are compiling dossiers on their use of social media sites and blogs and selling those reports to prospective employers. They are concerned because they are powerless to prevent the distribution of their contact information to marketers who then deluge them with advertisements in the mail and by e-mail, and they are concerned about companies who don't secure their personal data and the damages that result from improper breaches and disclosures with the risk of identity theft and worse.

The Constitution was written to protect Americans from government intrusions into their privacy. I understand the difference between government intrusions and private sector intrusions. But if the government were treating its citizens the way some companies are treating their customers, people would be outraged. They would be up in arms. They would be dumping tea in the Boston Harbor. The Supreme Court has just ruled that it is not OK for the government to track people via GPS in their car without a warrant, so why would it be OK for a company such as OnStar to track drivers who canceled their subscriptions and sell that information on their movements to marketers?

Americans—many of us, and others—were questioning the PATRIOT Act and its provisions that allow government to access records of what books citizens borrowed from the library and what Web pages they visited while they were there. Yet, companies are tracking consumers' every movement on line, through dozens—even hundreds—of cookies that are secretly installed on consumers' computers whenever they visit a Web site. We would be horrified if the government as a routine matter monitored pictures people take and who they interact with. Yet, according to news reports, mobile devices and apps are doing exactly that.

I believe it is time we protect Americans from intrusions into their personal privacy by companies or educational institutions or others who may not be part of the government. Big Brother or Big Sister no longer need wear a police uniform or a badge or a military uniform. It may well be under the guise of a corporate seal or insignia, and I believe it is time we protect against those intrusions, as well as others. In fact, it is a bipartisan concern. One of the few areas where there

is agreement in Congress is the need for better protection of consumers for online privacy. We may differ on the substance; we may disagree as to what the contours and the specifics should be. I am concerned about this issue and I am encouraged by the bipartisan support for attention to it. I was heartened by the President's recent call for a consumer privacy bill of rights—a great beginning, a very positive step forward. I believe our approach to privacy must be comprehensive and robust.

As a threshold matter, companies that collect or share information about consumers should be required to get consumers' affirmative opt-in consent for collecting or sharing that data. Not an opt-out but an opt-in—specific, informed consent. That should apply online as well as offline. We have seen a lot of attention paid to Internet tracking and behavioral advertising. I think we ought to protect consumers from privacy invasions that come from the mail or over the phone. They particularly affect our seniors. If a company wants to collect, aggregate, share, sell, or by any other means, it should get consumers' permission; otherwise, it shouldn't be permitted.

We also need to pay attention to the collection of information through consumers' use of mobile devices. As we have seen recently, some mobile apps or operating systems are capable of tracking not just consumers' Web browsing but also their text messages, what they photograph, who they contact. Mobile devices need a system-wide, do-not-track option to allow consumers to control the distribution of their information.

Finally, the consumers' right to privacy also must encompass the right to prevent unauthorized distribution of that information. To that end, we need to establish requirements for companies that possess consumers' personal information to ensure they have security features in place to prevent data breaches. Those protections must be accompanied by remedies, by fines and penalties that make those rights and protections real so that consumers have a private right of action as well.

Congress is working on these issues. There have been numerous hearings and legislation has been proposed. Having the President add his voice to the call for privacy will only help. As with food safety, product safety, and Wall Street reform, companies themselves are demonstrating the need for legislation and some of them are joining in this effort very constructively.

So as we mark the 50th anniversary of President Kennedy's call to action, let us heed the importance of his message to Congress. He said: "As all of us are consumers, these actions and proposals in the interests of consumers are in the interests of us all."

We should be proud in this body of having continued the fight for consumer protection. It should be full-throated and full-hearted.

Americans went West to the Presiding Officer's State and to other States seeking open spaces, economic opportunities, as well as personal opportunities, including the right to privacy and being alone. That American right—that American spirit—is very much with us today. It is 50 years after President Kennedy first articulated it, but I believe it is as real and necessary today as ever.

Thank you, Mr. President. I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

JOBS ACT STRATEGY

Mr. McCONNELL. Mr. President, I would like to start out this morning by saying I am glad we are turning to the bipartisan jobs bill that passed the House last week by such a lopsided margin. Here is a chance not only to help entrepreneurs build their businesses and create jobs but to show we can work together around here to get things done on a bipartisan basis.

Unfortunately, some of our friends on the other side do not seem to like that idea very much. Apparently, they would rather spend the time manufacturing fights and 30-second television ads than helping to create jobs.

First, they tried to even keep us from bringing up this jobs bill for debate in the Senate. Now we read they are trying to figure out ways to make this overwhelmingly bipartisan bill controversial. They want to pick a fight rather than get this bill to the President's desk, and then they are going to use the same strategy on a number of other bills.

Their plan is not to work together to make it easier to create jobs but to look for ways to make it easier to keep their own; then use it for campaign ads in the runup to the November elections.

If we are looking for the reason this Congress has a 9-percent approval rating, this is it. One day after we read a headline in the Congressional Quarterly about Democrats moving to slow a jobs bill that got 390 votes, we see a story today about how the No. 3 Democrat in the Senate is scheming to spend the rest of the year hitting the other side. It goes on to list all the ways he plans to do it, and then it says this:

None of these campaign-style attacks allow for the policy nuances or reasoning behind the GOP's opposition, and some of the